

**Office of
Children's Ombudsman**

House Committee on Families and Children's Services

February 21, 2007

**Representative Brenda Clack, Chair
Representative Robert Dean, Majority Vice-Chair
Representative Fulton Sheen, Minority Vice-Chair
Representative Frank Accavitti Jr.
Representative Ted Hammon
Representative Jacob Hoogendyk
Representative Brian Palmer
Representative John Stahl
Representative Lisa Wojno**

Verlie M. Ruffin, Children's Ombudsman

Office of Children's Ombudsman

The Office of Children's Ombudsman: The Office of Children's Ombudsman was created in 1994 and began operations in January 1995. PA 204 of 1994 MCL 722.921, *et seq* established the office as an autonomous agency with statutory authority to independently investigate complaints about children who have come to the attention of DHS as abused or neglected or who are under the supervision of DHS and private child placing agencies. The office is responsible for ensuring that DHS and private agencies are in compliance with laws and policies pertaining to Children's Protective Services, Foster Care, Adoption Services, and Juvenile Justice. The office is also responsible for identifying problems, both systemic and case specific, and for making recommendations to improve the child welfare system.

Mission of the Office:

The mission of the Office of the Children's Ombudsman is to assure the safety and well-being of Michigan's children in need of foster care, adoption, and protective services and to promote public confidence in the child welfare system. This will be accomplished through independently investigating complaints, advocating for children, and recommending changes to improve law, policy, and practice for the benefit of current and future generations.

Staff:

- 1 director
- 7 investigators
- 1 intake investigator
- 1 supervising investigator
- 2 administrative support staff

Offices:	Boji Tower	Cadillac Place
	124 W. Allegan St., Ste.100	3068 W. Grand Blvd.
	Lansing, MI 48933	Ste. 4-225
	(517) 373-3077	Detroit, MI 48202-6068
	(800) 642-4326	(800) 642-4326
	(517) 335-4471 fax	
	childombud@michigan.gov	email address
	www.michigan.gov/oco	website

Investigative Staff

Verlie Ruffin - appointed in 2006 by Governor Jennifer Granholm with the advice and consent of the Senate to serve as Michigan's 5th Director of the Office of Children's Ombudsman. Verlie has over 30 years of experience serving children and families, as an educator, case worker, casework supervisor, and private agency program director. Prior to her current appointment, Verlie was the Associate Director of the Michigan Federation for Children and Families, a membership association of private, nonprofit child and family serving agencies. Verlie holds a bachelor's degree in education and a master's degree in guidance and personnel services.

Brooke Adams – OCO Investigator for 6 years. Prior to joining the OCO, she worked as a CPS worker in Wayne County for 7 years and has worked as an inpatient mental health worker for 10 years. Brooke has a bachelor's degree in psychology.

Stacie Bladen – OCO Investigator for 9 years. Prior to joining the OCO, she worked as a CPS and foster care worker in Michigan and Montana. Stacie has a bachelor's degree in special education and a master's degree in social work. She holds a State of Michigan license as a Master Social Worker.

Dave Blocker – Investigator for 10 years. Prior to joining the OCO, he worked for the Detroit Police Department for 26 years, the last 13 years with the DPD Child Abuse Unit.

Mike Harmon – 11 years with the OCO. Supervising Investigator from 1999 to the present. In 2005, Mike also served as Acting Children's Ombudsman for 8 months. Prior to joining the OCO, he worked for the Michigan State Police serving over 25 years in various capacities.

Brenda Konieczki – OCO Investigator for 7 years. Prior to joining the OCO, Brenda worked for DHS for 19 years, including 7 years in child welfare as a foster home licensing specialist. Brenda has a bachelor's degree in social work.

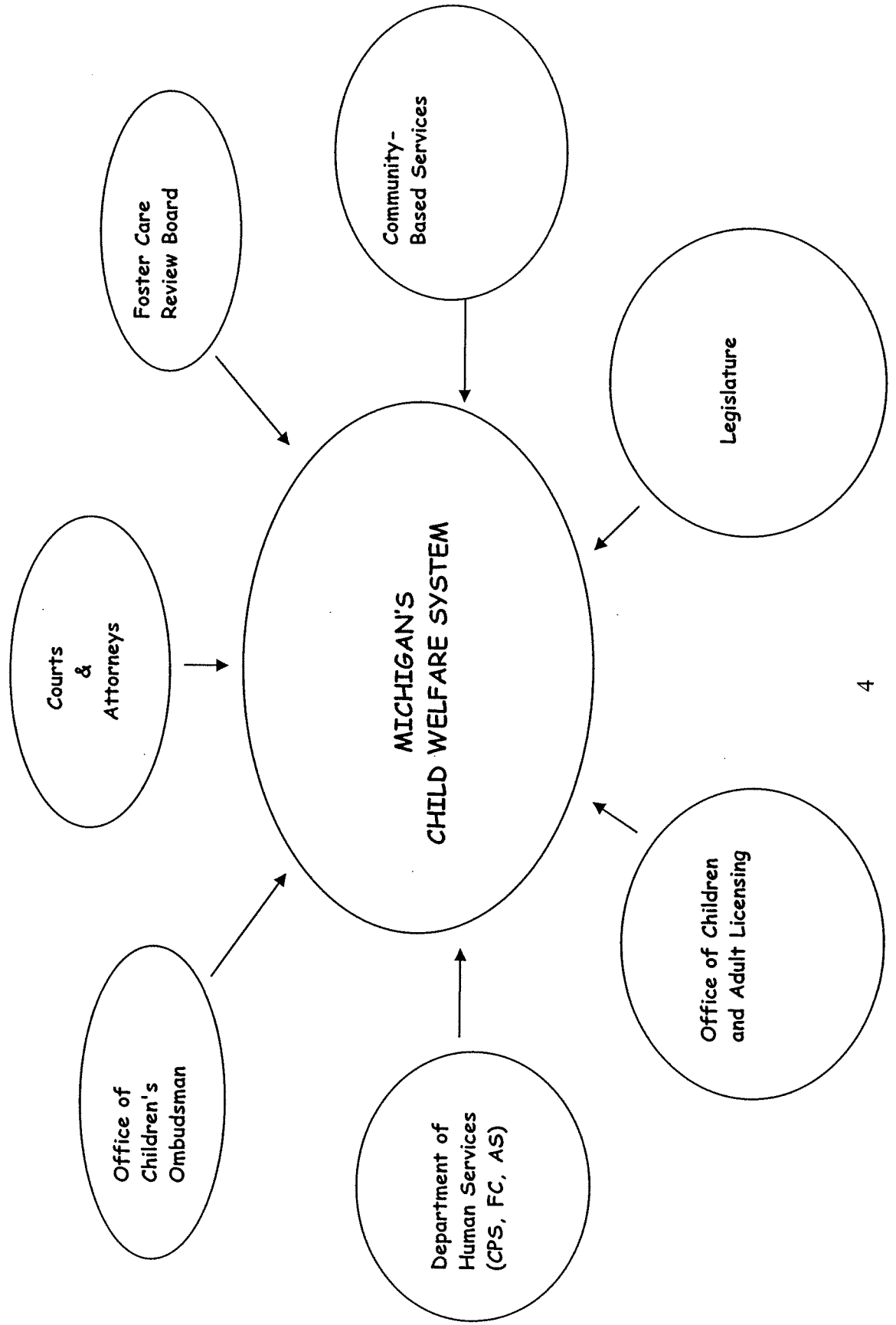
Tobin Miller – OCO investigator for just under a year. Prior to joining the OCO, Tobin was employed by the Michigan Supreme Court, State Court Administrative Office, for nine years as a publications and program manager. Tobin is an attorney and member of the State Bar of Michigan.

Mike Roxberry – OCO Investigator for 4 years. Prior to joining the OCO, Mike worked at DHS for 28 years as a supervisor of Child Welfare Institute training, county office supervisor and case worker. Mike has a master's degree in guidance and counseling and holds a State of Michigan license as a Master Social Worker.

Charlotte Smith – OCO Investigator for 10 years, the last 3 years as the Intake Investigator. Prior to joining the OCO, Charlotte worked in a prosecuting attorney's office in Ohio on child sexual abuse cases. Charlotte has a law degree and a bachelor's degree in public policy and government.

Vivien Vandenberg – OCO Investigator for 8 years. Prior to joining the OCO, Vivien worked with a private agency as a parent educator for 15 years. She has a bachelor's degree in sociology and a master's degree in communications.

Components of the Child Welfare System



Legal Authority and Purpose of the Office

As provided by MCL 722.921, et seq.

MCL 722.923

- Monitor and ensure compliance with laws, rules, and policies pertaining to CPS, Foster Care, Adoption, and Juvenile Justice.
- Effect change in policy, procedure, and legislation
- Educate the public
- Investigate and review the actions of the department, child placing agencies, or child caring institutions.

MCL 722.924

- Receive and process complaints
- Initiate an investigation with or without receiving a complaint
- Refer a case to the department for investigation

MCL 722.925

- Pursue all necessary action, including legal action, to protect the rights and welfare of a child under jurisdiction, control, or supervision of department, MCI, family division of circuit court under section 2(a)(1) of chapter XIII A of the probate code of 1939, 1939 PA288, MCL 712A.2, a child caring institution, or a child placing agency
- Pursue legislative advocacy in the best interests of children
- Review policies and procedures and make recommendations for improvements
- Review each departmental death review team study in which the child's death may have resulted from child abuse or neglect and make recommendations to prevent future occurrences

MCL 722.926

- Receive and investigate complaints
- Access all necessary records and reports
- Request a subpoena from a court requiring the production of a record
- Hold informal hearings
- Make recommendations to the Governor

MCL 722.927

- Report violations of state or federal criminal law to the county prosecutor or attorney general; and violations of licensing to the department for investigation
- File a petition requesting court jurisdiction of an abused/neglected child; File a petition requesting termination of parental rights

MCL 722.928

- Access and review confidential case files pertaining to a child and family
- Access in OCO offices to departmental computer networks pertaining to CPS, foster care and adoption, including central registry, SWSS, CIMS, etc. . .

MCL 722.930

- Submit a written report of Findings and Recommendations to the department and/or child placing agency
- Notify the complainant of the actions taken by the OCO to investigate or intervene in a child's case; provided the complainant with a copy of the OCO findings and recommendations; and notify the complainant of any actions taken by the department or private agency
- Submit to the Governor the director of the department and the legislature an annual report on the conduct of the OCO, including any recommendations for change in legislation, rules, or policies

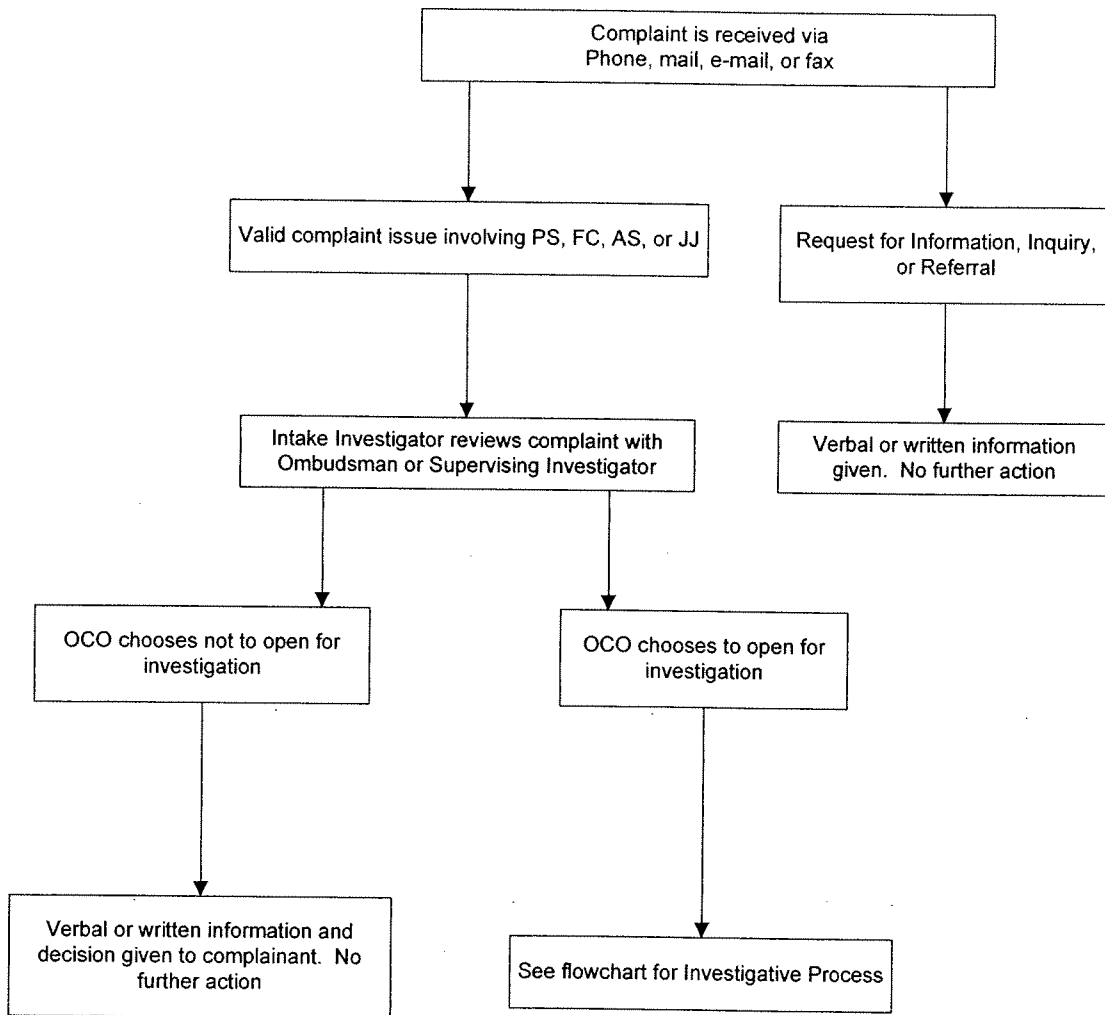
OCO has No Jurisdiction

Constituents, whose complaint issue does not fall within OCO jurisdiction, will be provided referral information and directed to the appropriate resources to address their concern. To the extent possible, the OCO will assist the complainant with accessing other remedies to resolve his/her complaint.

The OCO does not have jurisdiction or authority in the following areas:

- All matters that exclusively involve the Friend of the Court, such as:
 - custody
 - child support
 - parenting time
 - divorce
- Guardianships
- Truancy/School problems
- Criminal investigations/law enforcement
- Attorneys
- Judges
- Court Orders

OCO Intake Process

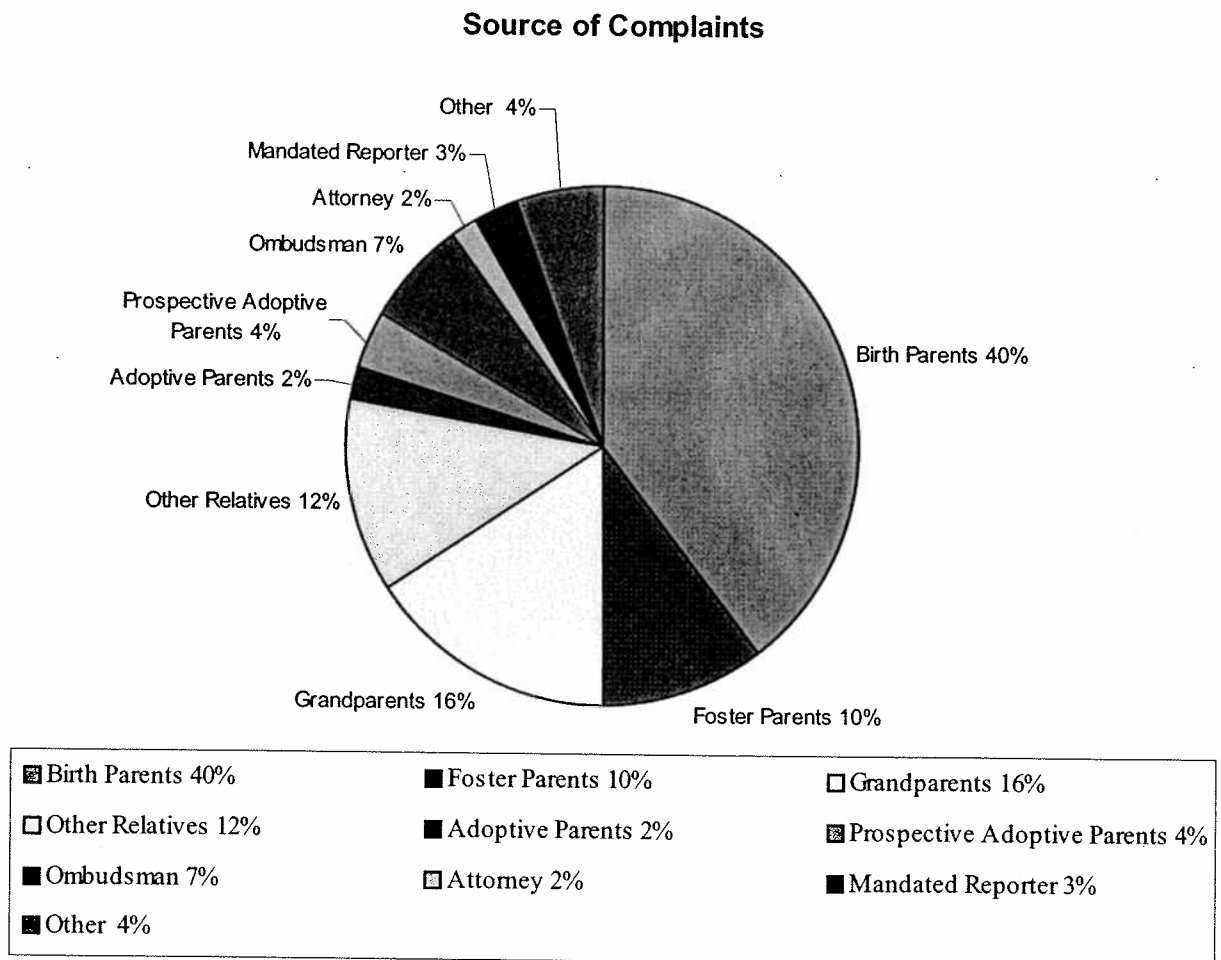


Complaint Process/Statistics

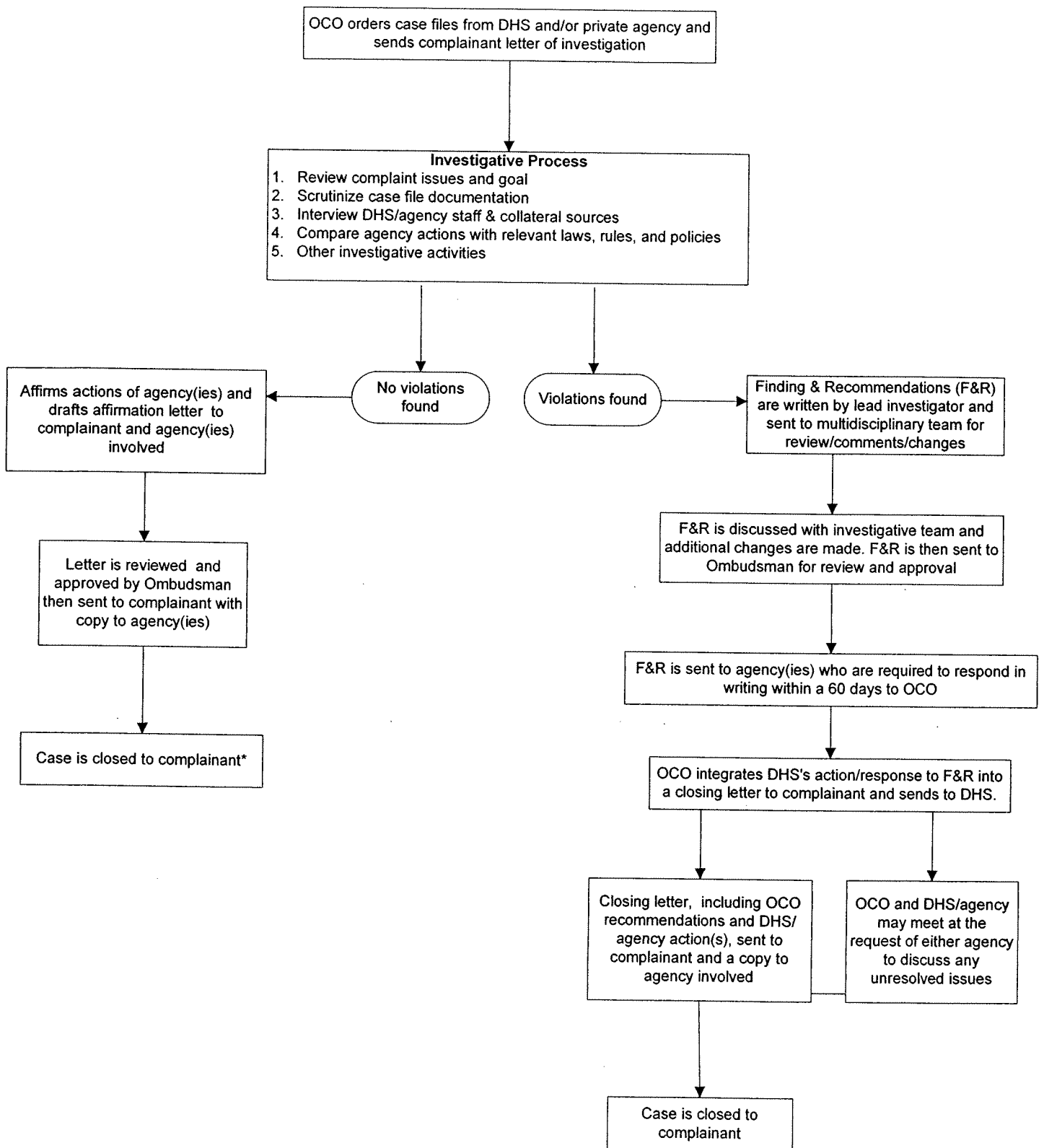
The primary responsibility of the Office of Children's Ombudsman is to receive and investigate complaints from individuals concerning children who are involved in Michigan's child welfare system.

PA 204 allows any individual to file a complaint with the OCO. The Ombudsman also has the discretion to open a complaint upon her own initiative.

- In 2004-2005, the majority of complainants were birth parents (40%), followed by relatives (28%), and foster parents (10%).



OCO Investigation Process



OCO may close case to a complainant based upon the issue they presented. However, the OCO may still write an F&R on the case based upon other issues that arose or were discovered during the course of the investigation.

Investigation Process/Statistics

An OCO investigation of a complaint may include any of the following:

- Review of the DHS case files, court files, police reports, and any other collateral documents
- Interviews with DHS workers, supervisors, administrators, judges/referees, court officials, foster parents, attorney's, CASA workers, and other involved parties
- Attendance at court hearings, case conferences, or informal meetings
- Consultation with professionals in the field of medicine, psychology, social work, and law

When appropriate and warranted, the OCO has taken the following action to intervene in cases:

- Submitted a letter to the Court, prosecuting attorney's office, law enforcement agency
- Submitted a Request for Action (or "Immediate Action") to DHS or private agency
- Convened case conferences or teleconferences

A **completed investigation** will result in an Affirmation Letter, Report of Findings and Recommendations, Administrative Resolution Letter, or Exceptional Closing Letter.

The overwhelming majority of findings over the past six years involved noncompliance with already existing law and policy, followed by poor practice/decisions.

